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Attorney for Plaintiff
West Coast Mobile Home Parks, Inc.

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

WEST COAST MOBILE HOME PARKS,
INC., a California corporation,

Plaintiff,

vs.

SCOTTSDALE INSURANCE COMPANY,
INC., and DOES I-V, inclusive, and ROE
Companies/ Corporations, VI-X, inclusive,

Defendants.

CASE NO.: 2:16-cv-02183-RFB-CWH

**STIPULATION TO DISMISS
PLAINTIFF'S THIRD CAUSE OF
ACTION FOR BAD FAITH WITHOUT
PREJUDICE; AND [PROPOSED] ORDER**

Plaintiff West Coast Mobile Home Parks, Inc. ("Plaintiff") and Defendant Scottsdale Insurance Company ("Scottsdale") hereby submit the following stipulation to dismiss Plaintiff's third cause of action for bad faith without prejudice.

1. Plaintiff's operative complaint on file in this action pleads a total of four causes of action against Scottsdale: (1) Breach of Insurance Contract – Duty to Defend; (2) Breach of Insurance Contract – Failure to Indemnify; (3) Breach of Duty of Good Faith and Fair Dealing; and (4) Declaratory Relief.

2. Plaintiff wishes to dismiss without prejudice the third cause of action in its complaint against Scottsdale for breach of the duty of good faith and fair dealing. Scottsdale agrees to the dismissal of that claim.

1 3. Therefore, the parties stipulate and agree that Plaintiff's third cause of action in its
2 complaint against Scottsdale for breach of the duty of good faith and fair dealing shall be
3 dismissed without prejudice, and request an Order from the Court affirming such dismissal.

4 4. Each party shall bear its own costs with respect to the dismissal of Plaintiff's third
5 cause of action.

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8 IT IS SO ORDERED:

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11 RICHARD F. BOULWARE, II
United States District Judge

12 DATED: June 1, 2017.
13 _____

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16 Dated: May 26, 2017

STEVEN MARZULLO, LTD.

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18 By: /s/ Steven Marzullo
19 Steven Marzullo, Esq.
20 Attorney for Plaintiff WEST COAST
MOBILE HOME PARKS, INC.

21 Dated: May 26, 2017


HINES HAMPTON LLP

22
23 By: /s/ Christine Emanuelson
24 Whitney C. Wilcher
25 Christine Emanuelson
26 Attorneys for Defendant SCOTTSDALE
27 INSURANCE COMPANY
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CERTIFICATE OF SERVICE

I hereby certify that on May 26, 2017, I electronically filed the foregoing document or paper with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses denoted on the Electronic Mail Notice List below.

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on May 26, 2017.



Ayvette Hernandez

Electronic Notice List

Steven Marzullo
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